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Attorneys for Defendant  
THE PRIMADONNA COMPANY, LLC

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SUSAN D. MAUNDER, an individual;

Plaintiff,

vs.

THE PRIMADONNA COMPANY, LLC a/k/a  
and d/b/a PRIMM VALLEY RESORTS;  
EMPLOYEE(S) / AGENT(S) DOES 1-10; and  
ROE CORPORATIONS 11-20, inclusive,

Defendants.

Case No. 2:15-cv-00918-RFB-GWF

**STIPULATION FOR EXCEPTION  
TO ATTENDANCE  
REQUIREMENTS FOR EARLY  
NEUTRAL EVALUATION  
SESSION**

**ENE DATE: July 30, 2015**  
**ENE TIME: 9:00 a.m.**

**MAGISTRATE JUDGE C.W.  
HOFFMAN, JR.**

Defendant, The Primadonna Company, LLC ("Primadonna"), and Plaintiff, Susan D. Maunder ("Plaintiff"), by and through their respective attorneys of record, hereby submit this Stipulation respectfully requesting an exemption from the Early Neutral Evaluation ("ENE") attendance requirements for Defendant's insurance representative.

The Order Scheduling Early Neutral Evaluation ("ENE") Session (Dkt. #11) sets the ENE for July 30, 2015. It requires a representative of the insurance carrier with authority to settle this matter up to the full amount of the claim to be present. Defendant requests an exception to this requirement because although Defendant has an employment practices liability insurance policy, that coverage is subject to a \$250,000 retention. Based on the information presently available regarding Plaintiff and

her allegations in this lawsuit, there is no reasonable good faith possibility that Plaintiff's claims could exceed the retention level at this time. Indeed, Plaintiff's initial disclosures include a damages calculation of \$29,433.64 in lost wages taking into account mitigation efforts. In light of the status of the litigation and the relative settlement posture of this matter, it is Defendant's belief that the insurance coverage will not have any effect on the settlement negotiations at the ENE.

Additionally, Defendant will have a company representative available at the ENE session who will fully and effectively participate in the settlement discussion and will have binding authority to settle this matter on behalf of Defendant. Further, Defendant's insurance representative will be availability telephonically during the ENE if necessary. Accordingly, the parties respectfully request that an Order be issued granting permission for Defendant's insurance representative to be exempt from personal attendance at the ENE scheduled for July 30, 2015.

Dated: June 29, 2015

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Respectfully submitted,

Respectfully submitted,

/s/ Christian Gabroy, Esq.  
CHRISTIAN GABROY, ESQ.  
GABROY LAW OFFICES

/s/ Kaitlyn M. Burke, Esq.  
WENDY M. KRINCEK, ESQ.  
KAITLYN M. BURKE, ESQ.  
LITTLER MENDELSON

Attorney for Plaintiff  
SUSAN D. MAUNDER

Attorneys for Defendant  
THE PRIMADONNA COMPANY, LLC

# **ORDER**

**IT IS SO ORDERED.**

**DATED: June 30, 2015**

  
THE HONORABLE C.W. HOFFMAN, JR.  
UNITED STATES MAGISTRATE JUDGE

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